

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

TENTATIVE ORDER NO. R9-2002-0067
NPDES PERMIT NO. CA 0109371

WASTE DISCHARGE REQUIREMENTS
FOR
S & S FARMS
SWINE RAISING FACILITY
SAN DIEGO COUNTY

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Monitoring and Reporting Program No. R9-2002-0067

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Figure 1. S & S Farms Approximate Monitoring Locations

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board), finds that:

1. Mr. Tom Salayer and Mr. Mark Bousema own and operate S & S Farms, a swine raising facility located near Ramona, California. S & S Farms produces, treats and stores animal waste from a maximum of 1500 swine. The facility is located in the center of Section 27, T.13.S, R.1.E., SBB&M in the Ramona Hydrologic Subarea (905.41) of the Santa Maria Valley Hydrologic Area (905.40) of the San Dieguito Hydrologic Unit (905.00).
2. On January 22, 2002 S & S Farms submitted an NPDES permit application dated January 5, 2002 and a Report of Waste Discharge dated January 3, 2002 proposing to discharge solid and liquid waste from a total of 1500 swine to treatment ponds.
3. The discharge of swine facility waste consisting of manure, urine, wash water, sprinkler water and contaminated storm water runoff, may contribute to ground water mineralization, the addition of nitrates to ground water, surface runoff of biodegradable and suspended material, nuisance odors, the addition of nutrients to adjacent surface water streams and other miscellaneous problems.
4. The waste management and water quality protection measures at the S & S Farms facility include the following:
 - Soil graded to divert storm water runoff away from the swine facility.
 - Swine housed in roofed facility to prevent contact with storm water runoff.
 - Facility wash water is collected in pits and pumped to the facultative ponds for treatment and storage.
 - No discharge to surface or ground waters or land application of the waste will occur.
 - Design to prevent and control odor features.
5. The State Water Resources Control Board promulgated statewide general waste discharge requirements for discharges of storm water runoff associated with industrial activities (Water Quality Order No. 97-03-DWQ, [NPDES No. CAS000001]).
6. The State Board Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California provides guidance for the development of effluent limits for priority toxic pollutants that will be consistent with water quality criteria for such pollutants promulgated by the U.S. EPA in 40 CFR 131 (the California Toxics Rule).

7. The *Water Quality Control Plan, San Diego Basin (9)* (Basin Plan) designates beneficial uses and establishes narrative and numerical water quality objectives, and prohibitions, which are applicable to the discharges regulated under this Order.
8. Pursuant to 40 CFR 131.12 and State Board Resolution No. 68-16, *Statement of Policy with Respect to Maintaining High Quality of Waters in California* (collectively “Antidegradation policies”), antidegradation analysis is not necessary since this Order protects existing instream water uses and the level of water quality necessary to protect the existing uses shall be maintained and protected.
9. Effluent limitations, inland surface waters criteria, and enclosed bays and estuaries criteria established under Sections 301, 302, 303(d), 304, 306, and 402 of the CWA, as amended (33 U.S.C. 1251 et seq.), are applicable to the discharge.
10. For the purposes of this Order, “waste” includes the discharger’s total discharge, of whatever origin, i.e. gross, not net, discharge.
11. This Regional Board, in establishing the requirements contained herein, considered factors including, but not limited to the following:
 - a. Beneficial uses to be protected and the water quality objectives reasonably required for that purpose;
 - b. Other waste discharges;
 - c. The need to prevent nuisance;
 - d. Past, present, and probable future beneficial uses of the waters under consideration;
 - e. Environmental characteristics of the waters under consideration;
 - f. Water quality conditions that could reasonably be achieved through the coordinated control of factors that effect water quality in the area;
 - g. Economic considerations; and
 - h. The need for developing housing within the region.
12. The issuance of waste discharge requirements for this discharge is exempt from the requirement for preparation of environmental documents under the CEQA (Public Resources Code, Division 13, Chapter 3, Section 21000 et seq.) in accordance with the California Water Code, Section 13389.

13. This Regional Board has considered all water resource related environmental factors and during a public meeting, heard and considered all comments pertaining to the discharge of waste at the S & S Farms facility.
14. This Regional Board has notified the discharger and all known interested parties of its intent to issue NPDES waste discharge requirements for the discharge of waste from S & S Farms.
15. This Regional Board has, at a public meeting, heard and considered all comments pertaining to the potential discharge of wastes from S & S Farms to the waters of the Ramona Hydrologic Subarea.

IT IS HEREBY ORDERED, That Mr. Tom Salayer and Mr. Mark Bousema (hereinafter discharger), in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Clean Water Act (CWA) and the regulations adopted thereunder, shall comply with the following requirements:

A. DISCHARGE SPECIFICATIONS

1. The discharger shall not cause pollution, contamination, or nuisance, as those terms are defined in CWC Section 13050, as a result of the treatment, storage or discharge of wastes.
2. Discharges of wastes, including windblown spray and runoff of effluent applied for irrigation, to lands which have not been specifically described to the Regional Board and for which valid waste discharge requirements are not in force are prohibited.
3. Compliance with the waste discharge prohibitions contained in the Basin Plan and listed in Attachment A hereto is required as a condition of this Order.
4. The discharge of any radiological, chemical or biological warfare agent, or radioactive waste to waters of the United States is prohibited.
5. The dumping or deposition of oil or trash in any manner that may permit it to be washed into waters of the United States is prohibited.
6. The discharge to any surface water bodies, or tributary thereof, is prohibited unless a chronic¹ or catastrophic² rainfall causes overflow from a storage facility

¹ Chronic rainfall means a series of wet weather conditions which would not provide opportunity for dewatering of properly maintained waste retention structures [58 FR 7620]

designed, constructed, and operated to hold process generated wastewater plus runoff from a 25-year, 24-hour storm event.

7. Discharges of facility solid waste or wastewater to disposal fields or croplands are prohibited.
8. The wastewater or waste solids treatment and storage operation shall not cause odors or other nuisance beyond the limits of the S & S Farms property.

B. FACILITY DESIGN AND OPERATION SPECIFICATIONS

PROPER OPERATION

1. The discharger shall, at all times, properly operate and maintain all facilities and systems of waste disposal (and related appurtenances) which are installed or used by the discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance include the routine inspection, maintenance, and repair of drainage channels, culverts, ponds, irrigation equipment and related wastewater or runoff collection structures or equipment to ensure that the proper capacity is maintained.
2. The discharger shall implement the operation and waste management measures described in Finding No. 4 of this Order or other measures proposed by the discharger which this Regional Board determines provides equivalent protection of water quality.

MANURE MANAGEMENT

3. The discharger shall not knowingly contribute to the improper disposal of manure hauled off-site. The manure hauled off the swine facility shall be properly disposed of to ensure that the water quality is not adversely affected in the area.
4. Animals shall be prevented from entering any surface water within the confined area.

RETENTION POND(S)

5. Retention ponds shall be lined with or underlain by soils that contain at least 10 percent clay and not more than 10 percent gravel or artificial materials of equivalent impermeability.

² Catastrophic event is equivalent to a 25-year, 24-hour storm event, which could include tornadoes, hurricanes or other catastrophic conditions that would cause an overflow of the required retention structure.

6. Retention ponds shall be designed, constructed and managed to retain the wastewater during periods of adverse climatic conditions.
7. Water levels in the retention ponds shall be sufficiently lowered by October 01, of each year to provide adequate storage capacity prior to the beginning of the wet weather periods.
8. A two-foot minimum freeboard is required in both ponds at all times.

FLOOD PROTECTION

9. All waste treatment, containment and disposal facilities shall be protected from inundation or washout by overflow from any stream channel during 100-year peak stream flow.

SURFACE DRAINAGE

10. This confined animal facility shall be designed, constructed and operated to retain all facility wastewater and all precipitation on, and drainage through, manured areas during a 25-year, 24-hour storm.
11. All precipitation and surface drainage outside of manured areas, including that collected from roofed areas, and runoff from tributary areas resulting from a storm of intensity equal to or less than 25-year, 24-hour storm shall be diverted away from manured areas unless such drainage is fully retained. The Regional Board may waive application of this requirement in specific instances where upstream land use changes have altered runoff patterns such that retention of flood flow is not feasible.

C. STANDARD PROVISIONS

1. The sections of 40 CFR incorporated into this permit by reference are provided in Attachment B.
2. The discharger must comply with all conditions of this Order. Any permit noncompliance constitutes a violation of the Clean Water Act and the California Water Code and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a Report of Waste Discharge application.
3. The discharger shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this Order, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the noncomplying discharge.

4. This Order may be modified, revoked and reissued, or terminated for cause including, but not limited to, the following:
 - a. Violation of any terms or conditions of this Order;
 - b. Obtaining this Order by misrepresentation or failure to disclose fully all relevant facts; or
 - c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.
5. The filing of a request by the discharger for modification, revocation and reissuance, or termination of this Order, or a notification of planned change in or anticipated noncompliance with this Order does not stay any condition of this Order.
6. In addition to any other grounds specified herein, this permit shall be modified or revoked at any time if, on the basis of any new data, this Regional Board determines that continued discharges may cause unreasonable degradation of the aquatic environment.
7. The discharge shall not cause a violation of any applicable water quality standard for receiving waters adopted by the Regional Board or the State Water Resources Control Board as required by the Clean Water Act and regulations adopted thereunder. If more stringent applicable water quality standards are promulgated or approved pursuant to Section 303 of the Clean Water Act or amendments thereto, the Regional Board will revise and modify this Order in accordance with the more stringent standards.
8. This Order is not transferable to any person except after notice to this Regional Board. This Regional Board may require modification or revocation and reissuance of this Order to change the name of the discharger and incorporate such other requirements as may be necessary under the California Water Code and the Clean Water Act. The discharger shall submit notice of any transfer of this Order's responsibility and coverage to a new discharger as described under *Reporting Requirements D.4.*
9. This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property of another, nor protect the discharger from its liabilities under federal, state, or local laws, nor create a vested right for the discharger to continue its waste discharge.
10. The discharger shall allow this Regional Board, or an authorized representative, or any representative of the United States Environmental Protection Agency upon the presentation of credentials and other documents as may be required by law, to:

- a. Enter upon the discharger's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operation regulated or required under this Order; and
 - d. Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order or as otherwise authorized by the Clean Water Act or California Water Code, any substances or parameters at any location.
11. The discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order.
12. In an enforcement action, it shall not be a defense for the discharger that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with this Order. Upon reduction, loss, or failure of the treatment facility, the discharger shall, to the extent necessary to maintain compliance with this Order, control production or all discharges, or both, until the facility is restored or an alternative method of treatment is provided. This provision applies, for example, when the primary source of power of the treatment facility fails, is reduced or is lost.
13. A copy of this Order shall be maintained at the facility, and shall be available to operating personnel at all times.
14. The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this Order, shall not be affected thereby.

D. REPORTING REQUIREMENTS

1. This Order expires on August 14, 2007. If the discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the discharger must apply for and obtain new waste discharge requirements. The discharger must file a full and complete Report of Waste Discharge in accordance with Title 23, California Code of Regulations, not later than 180 days in advance of such date, as application for issuance of new waste discharge requirements.
2. The discharger shall file a new Report of Waste Discharge not less than 180 days prior to the following:
 - a. Significant change in disposal method (e.g., change in the method of treatment that would significantly alter the nature of the waste).
 - b. Significant change in disposal area (e.g., moving the discharge to a disposal area significantly removed from the original area, potentially causing different water quality or nuisance problems).
 - c. Increase in flow beyond that specified in this Order.
 - d. Other circumstances that result in a material change in character, amount, or location of the waste discharge.
 - e. Any planned physical alterations or additions to the permitted facility.
3. The discharger shall give advance notice to this Regional Board of any planned changes in the permitted facility or activity that may result in noncompliance with the requirements of this Order. Any application submitted by the discharger for reissuance or modification of this permit shall satisfy all applicable requirements specified in federal regulations as well as any additional requirements for submittal of a Report of Waste Discharge specified in the California Water Code and/or the California Code of Regulations.
4. The discharger must notify this Regional Board, in writing, at least 30 days in advance of any proposed transfer of this Order's responsibility and coverage to a new discharger. The notice must include a written agreement between the existing and new discharger containing a specific date for the transfer of this Order's responsibility and coverage between the current discharger and the new discharger. This agreement shall include an acknowledgment that the existing discharger is liable for violations up to the transfer date and that the new discharger is liable after the transfer date.
5. Pursuant to California Water Code Section 13267(b) and 13383, the discharger shall comply with the attached *Monitoring and Reporting Program No. R9-2002-0067* and shall report the results at the intervals specified in *Monitoring and*

Reporting Program No. R9-2002-0067.

6. The discharger shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally to this Regional Board within 24 hours from the time the discharger becomes aware of the circumstances. A written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. This Regional Board, or an authorized representative may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. The following occurrences must be reported to this Regional Board within 24 hours:
 - a. Any discharge from the waste containment system or the treatment ponds;
 - b. Any violation of any prohibition of this Order.
7. The discharger shall furnish to this Regional Board, within a reasonable time, any information which this Regional Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order, or to determine compliance with this Order. The discharger shall also furnish to this Regional Board, upon request, copies of records required to be kept by this Order.
8. The discharger shall provide adequate notice to this Regional Board of the following:
 - a. Any new introduction of pollutants to the discharge.
 - b. Any substantial change in the volume or character of pollutants being introduced into the discharge.
 - c. For the purpose of this requirement, adequate notice shall include information on (1) the quality and quantity of waste introduced into the discharge, and (2) any anticipated impact of the change on the quantity or quality of effluent discharged.
9. Where the discharger becomes aware that they failed to submit any relevant facts in a Report of Waste Discharge, or submitted incorrect information in a Report of Waste Discharge, or in any report to this Regional Board, they shall promptly submit such facts or information.
10. All applications, reports, or information submitted to this Regional Board shall be signed and certified.
 - a. All Reports of Waste Discharge shall be signed as follows:

- (1) **For a corporation:** by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (a) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (b) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
 - (2) **For a partnership or sole proprietorship:** by a general partner or the proprietor, respectively; or
 - (3) **For a municipality, State, Federal or other public agency:** by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (a) the chief executive officer of the agency, or (b) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of U.S. EPA).
- b. All reports required by this Order, and other information requested by this Regional Board shall be signed by a person described in paragraph a. of this reporting requirement, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
- (1) The authorization is made in writing by a person described in paragraph a. of this reporting requirement;
 - (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly

authorized representative may thus be either a named individual or any individual occupying a named position.); and,

(3) The written authorization is submitted to this Regional Board.

- c. If an authorization under paragraph b. of this reporting requirement is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph b. of this reporting requirement must be submitted to this Regional Board prior to or together with any reports, information, or applications to be signed by an authorized representative.
- d. Any person signing a document under paragraph a. or b. of this reporting requirement shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

11. Except for data determined to be confidential under Title 40, Code of Federal Regulations Part (40 CFR Part 2), all reports prepared in accordance with the terms of this Order shall be available for public inspection at the offices of the California Regional Water Quality Control Board, San Diego Region and the United States Environmental Protection Agency, Region IX. As required by the Clean Water Act, Reports of Waste Discharge, this Order, and effluent data shall not be considered confidential.

12. Reports required to be submitted to this Regional Board shall be sent to:

Executive Officer
California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, California 92123-4340

Notifications required to be provided to this Regional Board shall be made to:
Telephone - (858) 467-2952 or
FAX - (858) 571-6972

Reports required to be submitted to USEPA shall be sent to:

Terry Oda
WTR-5
USEPA Region 9
75 Hawthorne Street
San Francisco, CA 94105

E. NOTIFICATIONS

1. For the purposes of this permit, the term "permittee" used in parts of 40 CFR incorporated into this permit by reference and/or applicable to this permit shall have the same meaning as the term "discharger" used elsewhere in this permit.
2. For the purposes of this permit, the term "Director" used in parts of 40 CFR incorporated into this permit by reference and/or applicable to this permit shall have the same meaning as the term "Regional Board" used elsewhere in this permit, except that in 40 CFR 122.41(h) & (i), "Director" shall mean "Regional Board, SWRCB, and USEPA."
3. California Water Code Section 13263(g) states:

No discharge of waste into the waters of the state, whether or not such discharge is made pursuant to waste discharge requirements, shall create a vested right to continue such discharge. All discharges of waste into waters of the state are privileges, not rights.
4. This Order shall become effective ten days after the date of its adoption provided the Regional Administrator, United States Environmental Protection Agency, has no objection. If the Regional Administrator objects to its issuance, this Order shall not become effective until such objection is withdrawn.
5. After this permit expires, the terms and conditions of this permit are automatically continued pending issuance of a new permit if all requirements of the federal NPDES regulations on the continuation of expired permits are complied with. [40 CFR 122.6, 23 CCR 2235.4]
6. The Porter-Cologne Water Quality Control Act provides for civil and criminal penalties comparable to, and in some cases greater than, those provided for under the Clean Water Act (CWA). [CWC §13385, 13387]
7. Nothing in this Order shall be construed to protect the discharger from its liabilities under federal, state, or local laws.
8. Except as provided for in 40 CFR 122.41(m) and (n), nothing in this Order shall be construed to relieve the discharger from civil or criminal penalties for

noncompliance.

9. Nothing in this Order shall be construed to preclude the institution of any legal action or relieve the discharger from any responsibilities, liabilities, or penalties to which the discharger is or may be subject to under Section 311 of the CWA.
10. Nothing in this Order shall be construed to preclude institution of any legal action or relieve the discharger from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authoring preserved by Section 510 of the CWA.

I, John H. Robertus, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Diego Region on August 14, 2002.

TENTATIVE
JOHN H. ROBERTUS
Executive Officer

ATTACHMENT A

BASIN PLAN WASTE DISCHARGE PROHIBITIONS

California Water Code Section 13243 provides that a Regional Board, in a water quality control plan, may specify certain conditions or areas where the discharge of waste, or certain types of waste is not permitted. The following discharge prohibitions are applicable to any person, as defined by Section 13050 of the California Water Code, who is a citizen, domiciliary, or political agency or entity of California whose activities in California could affect the quality of waters of the state within the boundaries of the San Diego Region.

1. The discharge of waste to waters of the state in a manner causing, or threatening to cause a condition of pollution, contamination, or nuisance as defined in California Water Code Section 13050, is prohibited.
2. The discharge of waste to land, except as authorized by waste discharge requirements of the terms described in California Water Code Section 13264 is prohibited.
3. The discharge of pollutants or dredged or fill material to waters of the United States except as authorized by an NPDES permit or a dredge or fill material permit (subject to the exemption described in California Water Code Section 13376) is prohibited.
4. The discharge of treated or untreated waste to lakes or reservoirs used for municipal water supply, or to inland surface water tributaries thereto, is prohibited.
5. The discharge of waste to inland surface waters, except in cases where the quality of the discharge complies with applicable receiving water quality objectives, is prohibited. Allowances for dilution may be made at the discretion of the Regional Board. Consideration would include streamflow data, the degree of treatment provided and the safety measures to ensure reliability of facility performance. As an example, discharge of secondary effluent would probably be permitted if streamflow provided 100:1 dilution capability.
6. The discharge of waste in a manner causing flow, ponding, or surfacing on lands not owned or under the control of the discharger is prohibited unless the discharge is authorized by the Regional Board.
7. The dumping, deposition, or discharge of waste directly into waters of the state, or adjacent to such waters in any manner that may permit its being transported into the waters, is prohibited unless authorized by the Regional Board.
8. Any discharge to a storm water conveyance system that is not composed entirely of "storm water" is prohibited unless authorized by the Regional Board. [Federal Regulations 40 CFR 122.26 (b) defines storm water runoff, snowmelt runoff, and surface runoff and drainage.]

9. The unauthorized discharge of treated or untreated sewage to waters of the state or to a storm water conveyance system is prohibited.
10. The discharge of industrial wastes to conventional septic tank/subsurface disposal systems, except as authorized by the terms described in California Water Code Section 13264, is prohibited.
11. The discharge of radioactive wastes amenable to alternative methods of disposal into the waters of the state is prohibited.
12. The discharge of any radiological, chemical, or biological warfare agent into waters of the state is prohibited.
13. The discharge of waste into a natural or excavated site below historic water levels is prohibited unless the discharge is authorized by the Regional Board.
14. The discharge of sand, silt, clay, or other earthen materials from any activity, including land grading and construction, in quantities that cause deleterious bottom deposits, turbidity or discoloration in waters of the state or that unreasonably affect, or threaten to affect, beneficial uses of such waters is prohibited.
15. The discharge of treated or untreated sewage from vessels to Mission Bay, Oceanside Harbor, Dana Point Harbor, or other small boat harbors is prohibited.
16. The discharge of untreated sewage from vessels to San Diego Bay is prohibited.
17. The discharge of treated sewage from vessels to portions of San Diego Bay that are less than 30 feet deep at mean lower low water (MLLW) is prohibited.
18. The discharge of treated sewage from vessels that do not have a properly functioning US Coast Guard certified Type I or Type II marine sanitation device to portions of San Diego Bay that are greater than 30 feet deep at MLLW is prohibited.

ATTACHMENT B
40 CFR STANDARD PROVISION REFERENCES

40 CFR 122.1 Purpose and scope

40 CFR 122.1(a) and (b).

40 CFR 122.2 Definitions

40 CFR 122.2(all).

40 CFR 122.3 Exclusions

40 CFR 122.3(a) through (g).

40 CFR 122.4 Prohibitions (applicable to State programs, see Section 123.25).

40 CFR 122.4(a) through (i).

40 CFR 122.5 Effect of a permit (applicable to State programs, see Section 123.25).

40 CFR 122.5(a) through (c).

40 CFR 122.6 Continuation of expiring permits

40 CFR 122.6(b) through (d).

40 CFR 122.7 Confidentiality of information (applicable to State programs, see Section 123.25).

40 CFR 122.7 (a) through (c).

40 CFR 122.21 Application for a Permit (applicable to State programs, see Section 123.25).

40 CFR 122.21(a) through (p).

40 CFR 122.22 Signatories to permit applications and reports (applicable to State programs, see Section 123.25).

(a) Applications. All applications shall be signed as follows:

- (1) For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for

the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

NOTE: EPA does not require specific assignments or delegations of authority to responsible corporate officers identified in Section 122.22(a)(1)(i). The Agency will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the Director to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions under §122.22(a)(1)(ii) rather than to specific individuals.

- (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
 - (3) For a municipality, State, Federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).
- (b) All reports required by permits, and other information requested by the Director shall be signed by a person described in paragraph (a) of this section, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
- (1) The authorization is made in writing by a person described in paragraph (a) of this section;
 - (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) and,
 - (3) The written authorization is submitted to the Director.
- (c) Changes to authorization. If an authorization under paragraph (b) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph (b)

of this section must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.

- (d) **Certification.** Any person signing a document under paragraph (a) or (b) of this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

40 CFR 122.23 Concentrated animal feeding operations (applicable to State programs, see Section 123.25).

40 CFR 122.23(a) through (c).

40 CFR 122.24 Concentrated aquatic animal production facilities (applicable to State programs, see Section 123.25).

40 CFR 122.24(a) through (c).

40 CFR 122.25 Aquaculture projects (applicable to State programs, see Section 123.25).

40 CFR 122.25(a) and (b).

40 CFR 122.26 Storm water discharges (applicable to State programs, see Section 123.25).

40 CFR 122.26(a) through (g).

40 CFR 122.27 Silvicultural activities (applicable to State programs, see Section 123.25).

40 CFR 122.27(a) and (b).

40 CFR 122.28 General permits (applicable to State programs, see Section 123.25).

40 CFR 122.28(a) and (b).

40 CFR 122.29 New sources and new dischargers

40 CFR 122.29(a) through (d).

40 CFR 122.30 through 122.37 (Various sections on regulation of small MS4's).

40 CFR 122.41 Conditions applicable to all permits (applicable to State programs, see Section 123.25).

The following conditions apply to all NPDES permits. Additional conditions applicable to NPDES permits are in Section 122.42. All conditions applicable to NPDES permits shall be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to these regulations (or the corresponding approved State regulations) must be given in the permit.

- (a) **Duty to comply.** The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.
- (1) The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Clean Water Act toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.
- (2) The Clean Water Act provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed \$25,000 per day for each violation. The Clean Water Act provides that any person who negligently violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of \$2,500 to \$25,000 per day of violation, or imprisonment of not more than 1 year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than \$50,000 per day of violation, or by imprisonment of not more than 2 years, or both. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of \$5,000 to \$50,000 per day of violation, or imprisonment for not more than 3 years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than \$100,000 per day of violation, or imprisonment of not more than 6 years, or both. Any person who knowingly violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another

person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than \$250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than \$1,000,000 and can be fined up to \$2,000,000 for second or subsequent convictions.

- (3) Any person may be assessed an administrative penalty by the Administrator for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed \$10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed \$25,000. Penalties for Class II violations are not to exceed \$10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed \$125,000.
- (b) Duty to reapply. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.
- (c) Need to halt or reduce activity not a defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- (d) Duty to mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
- (e) Proper operation and maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.
- (f) Permit actions. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

- (g) Property rights. This permit does not convey any property rights of any sort, or any exclusive privilege.
- (h) Duty to provide information. The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the Director upon request, copies of records required to be kept by this permit.
- (i) Inspection and entry. The permittee shall allow the Director, or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon presentation of credentials and other documents as may be required by law, to:
 - (1) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
 - (2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - (3) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
 - (4) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.
- (j) Monitoring and records.
 - (1) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
 - (2) Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR part 503), the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time.
 - (3) Records of monitoring information shall include:

- (i) The date, exact place, and time of sampling or measurements;
 - (ii) The individual(s) who performed the sampling or measurements;
 - (iii) The date(s) analyses were performed;
 - (iv) The individual(s) who performed the analyses;
 - (v) The analytical techniques or methods used; and
 - (vi) The results of such analyses.
- (4) Monitoring results must be conducted according to test procedures approved under 40 CFR part 136 or, in the case of sludge use or disposal, approved under 40 CFR part 136 unless otherwise specified in 40 CFR part 503, unless other test procedures have been specified in the permit.
- (5) The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both.
- (k) Signatory requirement.
 - (1) All applications, reports, or information submitted to the Director shall be signed and certified. (See 40 CFR 122.22)
 - (2) The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
- (l) Reporting requirements.
 - (1) Planned changes. The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

- (i) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in §122.29(b); or
 - (ii) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under §122.42(a)(1).
 - (iii) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan;
- (2) Anticipated noncompliance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- (3) Transfers. This permit is not transferable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Clean Water Act. (See §122.61; in some cases, modification or revocation and reissuance is mandatory.)
- (4) Monitoring reports. Monitoring results shall be reported at the intervals specified elsewhere in this permit.
 - (i) Monitoring results must be reported on a Discharge Monitoring Report (DMR) or forms provided or specified by the Director for reporting results of monitoring of sludge use or disposal practices.
 - (ii) If the permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR part 136 or, in the case of sludge use or disposal, approved under 40 CFR part 136 unless otherwise specified in 40 CFR part 503, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Director.
 - (iii) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Director in the permit.
- (5) Compliance schedules. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance

schedule of this permit shall be submitted no later than 14 days following each schedule date.

- (6) Twenty-four hour reporting.
 - (i) The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
 - (ii) The following shall be included as information which must be reported within 24 hours under this paragraph.
 - (A) Any unanticipated bypass which exceeds any effluent limitation in the Permit (See 40 CFR 122.41(g)).
 - (B) Any upset which exceeds any effluent limitation in the permit.
 - (C) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in the permit to be reported within 24 hours. (See 40 CFR 122.44(g)).
 - (iii) The Director may waive the written report on a case-by-case basis for reports under paragraph (1)(6)(ii) of this section if the oral report has been received within 24 hours.
 - (7) Other noncompliance. The permittee shall report all instances of noncompliance not reported under paragraphs (1)(4), (5), and (6) of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (1)(6) of this section.
 - (8) Other information. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.
- (m) Bypass
- (1) Definitions.

- (i) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
 - (ii) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- (2) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs (m)(3) and (m)(4) of this section.
- (3) Notice
 - (i) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.
 - (ii) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in paragraph (l)(6) of this section (24-hour notice).
- (4) Prohibition of bypass.
 - (i) Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:
 - (A) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (B) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (C) The permittee submitted notices as required under paragraph (m)(3) of this section.

- (ii) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph (m)(4)(i) of this section.

(n) Upset

- (1) Definition. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- (2) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph (n)(3) of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
- (3) Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (i) An upset occurred and that the permittee can identify the cause(s) of the upset;
 - (ii) The permitted facility was at the time being properly operated; and
 - (iii) The permittee submitted notice of the upset as required in paragraph (1)(6)(ii)(B) of this section (24 hour notice).
 - (iv) The permittee complied with any remedial measures required under paragraph (d) of this section.
- (4) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

40 CFR 122.42 Additional conditions applicable to specified categories of NPDES permits (applicable to State NPDES programs, see Section 123.25).

The following conditions, in addition to those set forth in Section 122.41, apply to all NPDES permits within the categories specified below:

- (a) Existing manufacturing, commercial, mining, and silvicultural dischargers. In addition to the reporting requirements under Section 122.41(1), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:
- (1) That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following “notification levels”:
 - (i) One hundred micrograms per liter (100 ug/l);
 - (ii) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
 - (iii) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with Sec. 122.21(g)(7); or
 - (iv) The level established by the Director in accordance with Section 122.44(f).
 - (2) That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following “notification levels”:
 - (i) Five hundred micrograms per liter (500 ug/l);
 - (ii) One milligram per liter (1 mg/l) for antimony;
 - (iii) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with Section 122.21(g)(7).
 - (iv) The level established by the Director in accordance with Sec. 122.44(f).
- (b) Publicly owned treatment works. All POTWs must provide adequate notice to the Director of the following:
- (1) Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to section 301 or 306 of CWA if it were directly discharging those pollutants; and

- (2) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
 - (3) For purposes of this paragraph, adequate notice shall include information on
 - (i) the quality and quantity of effluent introduced into the POTW, and
 - (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.
- (c) Municipal separate storm sewer systems. The operator of a large or medium municipal separate storm sewer system or a municipal separate storm sewer that has been designated by the Director under Sec. 122.26(a)(1)(v) of this part must submit an annual report by the anniversary of the date of the issuance of the permit for such system. The report shall include:
 - (1) The status of implementing the components of the storm water management program that are established as permit conditions;
 - (2) Proposed changes to the storm water management programs that are established as permit condition. Such proposed changes shall be consistent with Section 122.26(d)(2)(iii) of this part; and
 - (3) Revisions, if necessary, to the assessment of controls and the fiscal analysis reported in the permit application under Sections 122.26(d)(2)(iv) and (d)(2)(v) of this part;
 - (4) A summary of data, including monitoring data, that is accumulated throughout the reporting year;
 - (5) Annual expenditures and budget for year following each annual report;
 - (6) A summary describing the number and nature of enforcement actions, inspections, and public education programs;
 - (7) Identification of water quality improvements or degradation;
- (d) Storm water discharges. The initial permits for discharges composed entirely of storm water issued pursuant to Section 122.26(e)(7) of this part shall require compliance with the conditions of the permit as expeditiously as practicable, but in no event later than three years after the date of issuance of the permit.

40 CFR 122.43 Establishing permit conditions (applicable to State programs, see Section 123.25)

40 CFR 122.43(a) through (c).

40 CFR 122.44 Establishing limitations, standards, and other permit conditions (applicable to State programs, see Section 123.25).

40 CFR 122.44(a) through (s).

40 CFR 122.45 Calculating NPDES permit conditions (applicable to State programs, see Section 123.25).

40 CFR 122.45(a) through (h).

40 CFR 122.46 Duration of permits (applicable to State programs, see Section 123.25).

40 CFR 122.46(a) through (e).

40 CFR 122.47 Schedules of compliance (applicable to State programs, see Section 123.25).

40 CFR 122.47(a) and (b).

40 CFR 122.48 Requirements for recording and reporting of monitoring results (applicable to State programs, see Section 123.25).

40 CFR 122.48(a) through (c).

40 CFR 122.49 Considerations under Federal law.

40 CFR 122.49(a) through (g).

40 CFR 122.50 Disposal into wells, into publicly owned treatment works (applicable to State programs, see Section 123.25).

40 CFR 122.50(a) through (c).

40 CFR 122.61 Transfer of permits (applicable to State programs, see Section 123.25).

40 CFR 122.61(a) through (b).

40 CFR 122.62 Modification or revocation and reissuance of permits (applicable to State programs, see Section 123.25).

40 CFR 122.62(a) through (b).

40 CFR 122.63 Minor modifications of permits.

40 CFR 122.63(a) through (g).

40 CFR 122.64 Termination of permits (applicable to State programs, see Section 123.25).

40 CFR 122.64(a) through (b)

Note: The sections of 40 CFR Standard Provisions listed above that are not quoted verbatim can be obtained through the following website: www.access.gpo.gov.